

TOGETHER WE WORK FOR HOPE

2019 FRAMEWORK AGREEMENT for the safety, health and ongoing sustainability of Kashechewan First Nation

Between

Her Majesty the Queen in right of Canada, as represented by the

Minister of Indigenous Services

("Canada")

and

Her Majesty the Queen in right of Ontario, as represented by the

Minister of Indigenous Affairs ("Ontario")

and

Kashechewan First Nation

Signed at Toronto

May 9, 2019

Canada 



 Ontario

Preamble

Kashechewan First Nation faces a number of challenges that are adversely affecting the well-being of community members who live on the reserve. The community has been evacuated numerous times in response to flooding and infrastructure issues that have contributed to concerns about community safety. High rates of unemployment, overcrowded housing, and a lack of critical infrastructure have created a concern for the long-term viability of the community.

Kashechewan First Nation and Canada signed agreements in 2005 and 2007 aimed at improving the long-term well-being and sustainability of the community.

Since 2016, when a referendum mandated Kashechewan's Chief and Council to negotiate relocation, governments have been working with the community to relocate Kashechewan to higher ground.

On March 31, 2017, Kashechewan First Nation, Canada and Ontario signed the initial "Together We Work for Hope Framework Agreement."

Canada provided \$50 million to construct 52 duplexes (104 housing units) that were completed in 2017. These units were raised to avoid flooding and built to allow for relocation.

Canada also approved \$15 million in 2018 for a new elementary school which was designed to be relocated.

In November 2018, the *Site 5 Development Potential* study funded by Canada concluded that Site 5, the preferred option of Kashechewan First Nation, can support a new community.

Canada immediately began to work with Kashechewan on the pre-engineering survey design and identification of routing options required for an access road to Site 5. Work can begin on the on-reserve portion in spring of 2019.

Kashechewan First Nation, Canada and Ontario are committed to creating a better future for the people of Kashechewan. The shared priority at this time is to move forward with the long-term objective of relocating Kashechewan First Nation to higher ground.

Purpose

The purpose of this Framework Agreement is to assure the citizens of Canada, and most importantly the residents of Kashechewan, that Canada and Ontario are committed to working with Kashechewan First Nation's Chief and Council to define an action plan to address the short-, mid-, and long-term challenges of the community.

Principles

Canada, Ontario, and Kashechewan First Nation will implement this Framework Agreement in a manner that recognizes and respects Treaty #9, and promotes a healthy and prosperous community living within the Kashechewan First Nation's traditional territory.

Canada, Ontario, and Kashechewan First Nation have entered into this agreement in good faith, and in the spirit of reconciliation, co-operation, and mutual respect.

Mandate

1. The primary objective of the community planning and development process is to plan for the relocation of Kashechewan to higher ground at Site 5.
2. Within this context, Kashechewan First Nation, Canada and Ontario will take action within their respective areas of responsibility as outlined in the "Kashechewan Relocation Workplan Summary." The Workplan is intended to promote long-term sustainability and reflect Kashechewan First Nation's unique culture, priorities, aspirations and traditional knowledge.
3. Canada, Ontario, and Kashechewan First Nation agree to immediately engage, within their respective areas of responsibility, in a broad-based community planning and development process to address the short-, medium-, and long-term challenges in, at a minimum, the following priority areas:
 - a. skills development;
 - b. on-reserve housing;
 - c. socio-economic sustainability;
 - d. health programs and facilities;
 - e. public safety;
 - f. infrastructure development, remediation and operation and maintenance; and,
 - g. schools and community facilities.
4. Canada, Ontario, and Kashechewan First Nation will establish a communications strategy to ensure that all community members and interested parties are kept well informed of the progress and overall goals.

Steering Committee

Canada, Ontario, and Kashechewan First Nation established a Steering Committee to provide general oversight and guidance in the implementation of the Workplan. Kashechewan First Nation and Canada will each name two (2) representatives to the Steering Committee. Ontario's Ministry of Indigenous Affairs will name one representative.

The Steering Committee will provide an annual report to Canada, Ontario, and Kashechewan First Nation on the progress made under this Framework Agreement.

The Steering Committee established Working Groups to develop and implement detailed action plans to address short, medium and long term challenges. The Working Group(s) will provide progress reports to the Steering Committee as required, and at a minimum on a quarterly basis.

In 2018, the Steering Committee also mandated further work to confirm the population for the purposes of relocation. Kashechewan First Nation undertook to confirm the relationship with Fort Albany First Nation for the purposes of relocation.

An Addition to Reserve Working Group was created by the Steering Committee in February 2019 to address matters related to the transfer of land at Site 5, that will also address the status of Site 5 during the period before it is transferred, in line with the Parties' commitment to fast-track the process.

The Steering Committee has adopted Terms of Reference to guide its work and the operation of the Working Group(s).

Other Matters

Canada, Ontario, and Kashechewan First Nation acknowledge the importance of ongoing involvement of First Nation members in decisions that directly affect them. It is acknowledged that Chief and Council will require time for consultation and decision-making with the community.

Canada, Ontario, and Kashechewan First Nation recognize that the participation of other departments, ministries, and agencies may be required to make progress respecting relocation.

Obligations

While this Revised 2019 Framework Agreement is entered into in good faith, it does not create legally binding obligations for the Parties.

Budget

On an annual basis, the Steering Committee will recommend to Canada and Ontario a budget for the meeting costs of the Steering Committee and Working Group(s).

Due diligence in establishing the detailed cost estimate and the source of funds for the eight to ten year development project will follow the successful completion of the housing inventory, relocation census, identification of the specific parcel for community relocation at Site 5, and support of the Albany Band. Funding for the implementation of relocation will be determined by Canada.

Review

This Framework Agreement reflects the work of the Steering Committee over the last two years and a review of the previous agreement.

Amendment

The 2019 Framework Agreement may only be amended with the written consent of all the Parties.

Signatures

Chief Leo Friday
Kashechewan First Nation

The Honourable Seamus O'Regan
Minister of Indigenous Services

The Honourable Greg Rickford
Minister of Indigenous Affairs